

CERTIFIED FOR PARTIAL PUBLICATION*

COPY

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

THE PEOPLE,

Plaintiff and Respondent,

v.

DWAYNE WARREN BOGAN,

Defendant and Appellant.

C052691

(Super. Ct. No. 05F01026)

ORDER MODIFYING OPINION
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on June 27, 2007, be modified as follows:

1. On page 3 of the opinion, change the phone number that appears as the last word of the third full paragraph to "XXX-XXX-XXXX" and add footnote 2 after the sentence:

"We have disguised this phone number for privacy purposes."

* Pursuant to California Rules of Court, rule 8.1110, this opinion is certified for publication with the exception of sections 1 and 3 of the Discussion.

The rest of the footnotes in the opinion shall be renumbered to reflect the addition of this footnote.

2. On page 4 of the opinion, change the phone number that appears on the second line of the page to "XXX-XXX-XXXX."

3. In the last sentence of the second full paragraph on page 4 of the opinion, which starts with the words "The phone's memory showed an outgoing call," change the phone number to "XXX-XXX-XXXX."

There is no change in the judgment.

FOR THE COURT:

BLEASE, Acting P.J.

DAVIS, J.

RAYE, J.